

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the amendment by inserting after section 1 the following:

‘**Sec. 2. 38 MRSA §490-D, sub-§5-A, ¶A,** as enacted by PL 1995, c. 287, §11, is amended to read:

A. A natural buffer strip at least 100 feet wide must be maintained between the working edge of the excavation and the normal high water line of a great pond classified as GPA or, a river flowing to a great pond classified as GPA or a segment of the Kennebec River identified in Title 12, section 403, subsection 7.

Sec. 3. 38 MRSA §490-Z, sub-§5, ¶A, as enacted by PL 1995, c. 700, §35, is amended to read:

A. A natural buffer strip at least 100 feet wide must be maintained between the working edge of the excavation and the normal high water line of a great pond classified as GPA or, a river flowing to a great pond classified as GPA or a segment of the Kennebec River identified in Title 12, section 403, subsection 7.’

Amend the amendment by inserting after section 2 the following:

‘**Sec. 3. Transition.** If any part of the working edge of an excavation regulated under the Maine Revised Statutes, Title 38, chapter 3, subchapter 1, article 7 or 8-A is within 100 feet of the normal high water line of a segment of the Kennebec River identified in Title 12, section 403, subsection 7 on the effective date of this Act, that part may not be extended further toward the normal high water line and a natural buffer strip must be maintained in the remaining area. A natural buffer strip at least 100 feet wide must be established when an area subject to this section is restored pursuant to Title 38, section 490-D, subsection 14. A natural buffer strip at least 100 feet wide must be established when an area subject to this section is restored pursuant to Title 38, section 490-Z, subsection 13 except on quarry walls and flooded areas.’

Amend the amendment by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This amendment requires that a 100-foot-wide natural buffer be maintained between the working edge of an excavation for borrow, clay, topsoil or silt and the normal high water line of a segment of the Kennebec River identified in the Maine Revised Statutes, Title 12, section 403, subsection 7.

This amendment also requires that a 100-foot-wide natural buffer be maintained between the working edge of a quarry excavation and the normal high water line of a segment of the Kennebec River identified in Title 12, section 403, subsection 7.

This amendment includes a transition provision that provides that if any part of the working edge of an excavation is already within 100 feet of the normal high water line of a segment of the Kennebec

River identified in Title 12, section 403, subsection 7 on the effective date of the Act, then a natural buffer must be maintained in the remaining area and a 100-foot-wide natural buffer must be established when the area is reclaimed.